



# GENERAL ORDER

DURHAM POLICE DEPARTMENT  
DURHAM, NC

NUMBER:

4088

## DOCUMENTING CRIMINAL GANG MEMBERS

Effective Date: **Draft**

### INTRODUCTION

It is the policy of the Durham Police Department (DPD) that officers utilize the GangNet database to document known and suspected criminal gang members while simultaneously emphasizing officer safety, individual rights and community sensitivity in accordance with Federal Law [28 CFR Part 23](#), N.C.G.S. [§ 14-50.16A](#) "The North Carolina Criminal Gang Suppression Act", and the North Carolina Highway Patrol GangNet Policy.

The Department recognizes the need to identify and document individuals who are involved in criminal gang activity. The GangNet system will provide approved Durham Police Officers with access to criminal gang intelligence tracking information from multiple jurisdictions within North Carolina and surrounding states. The objectives of the GangNet system are to expand the recognition and identification of criminal gangs, their members and activities; to increase officer safety by improving the sharing of information among multiple jurisdictions using computer technology; and to enhance community security through the prosecution and suppression of criminal gangs and their members.

### DEFINITIONS

*Affiliate Gang Member:* Any person that there is reasonable suspicion to believe is involved in criminal activity and is linked to a Criminal Gang Member.

*Criminal Gang:* Any ongoing organization, association, or group of three or more persons, whether formal or informal, that has as one of its primary activities the commission of criminal or delinquent acts and shares a common name, identification, signs, symbols, tattoos, graffiti, attire, or other distinguishing characteristics, including common activities, customs, or behaviors. (N.C.G.S. [§ 14-50.16A](#))

*Criminal Gang Member:* Any person that there is reasonable suspicion to believe is involved in criminal activity and meets two or more of the following criteria; self admits, is identified by a reliable source, is involved in a gang incident, has adopted hand signs, symbols or graffiti associated with a gang, has adopted the display of colors or the style of dress associated with a gang, is in possession or linked by physical evidence, has tattoos or markings associated with a gang, adopted language or terminology associated with a gang, appears in any kind of social media that promotes a gang, associates with known gang members, validated by the North Carolina Department of Corrections as a gang member, or frequents gang areas.

*Gang Incident:* Any criminal incident where the victim and/or suspect is a validated Gang Member.

*GangNet:* Computerized criminal gang intelligence database software developed by the Orion Center of Systems Research and Applications Corporation (SRA) Scientific Systems based on intranet technology. GangNet is administered by the North Carolina Highway Patrol.

*Hard Files:* Information that supports an entry into the NCGangNet system. This information will be maintained by each local agency and may include intelligence submissions, gang member identification criteria sheets, photos, field interview cards, reports or any other supporting documentation. Supporting documentation

will be used in court rather than documentation from the NCGangNet system. Information entered into the OSSSI-Gang Module will be considered as a Hard File for the purposes of this General Order.

*LEO Contact:* An employee designated by each member agency to serve as a point of contact for GangNet and who is responsible for agency compliance with GangNet Policies & Procedures.

*Suspected Gang Member:* Any person that there is reasonable suspicion to believe is involved in criminal activity and is linked to a gang but the gang is unknown.

## **REQUIREMENTS WHEN ENCOUNTERING GANG MEMBERS**

Any Department officer who encounters a criminal gang member will document all contact with known or suspected criminal gang members by using the Field Contact module in RMS and labelling the Field Contact as “Gang Activity,” or by adding the observed gang criteria to an Incident Report Narrative when a report would be required per G.O. [4028 Report Writing](#). Only officers who have been trained by a designated Gang Unit Supervisor and who have signed the GangNet User Agreement may view data in the GangNet Database. At no time will any officer use GangNet printouts as part of a case file or for court proceedings.

Officers will complete the [Criminal Gang Membership Identification Criteria](#) form and submit the originals to the Gang Unit when they have encountered a known or suspected criminal gang member.

Officers submitting information on criminal gang members obtained from social media will complete and submit the [Criminal Gang Membership Social Media](#) form to the Gang Unit.

Officers will contact the on-duty Gang Unit member if a known criminal gang member is in custody. If the Gang Unit is not working, the Watch Commander will contact the on-call Gang Unit supervisor.

## **RESPONSIBILITIES OF GANG UNIT**

Investigators assigned to the Gang Unit will make the final determination of whether an individual will be validated as a criminal gang member, gang affiliate member, or if they do not meet the validation criteria. The Gang Unit will be responsible for maintaining hard files on all gangs, gang members, affiliated gang members, and suspected gang members.

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Cerelyn J. Davis

*Chief of Police*